

When Leon Higginbotham was named to the Federal bench at the age of 36 by President Kennedy, he was the youngest Federal judge to be appointed in three decades. He served with distinction and eventually became judge of the Third Circuit Court of Appeals. He also found the time to write and speak with idealism and rigor on the great dilemmas of race and justice. And because of this remarkable service and his indelible spirit, I had the honor in 1995 to award Judge Higginbotham the Presidential

Medal of Freedom, the highest honor given to citizens in the United States.

His retirement was spent remarkably—helping to draft the Constitution for a democratic South Africa and teaching a fresh generation of students at Harvard. Judge Higginbotham's life, as much as his scholarship, set an example of commitment, enlargement, and service to young minds at home and abroad.

Our thoughts and prayers are with his wife, Evelyn Brooks Higginbotham, and their four children.

Address to the Nation Announcing Military Strikes on Iraq *December 16, 1998*

Good evening. Earlier today I ordered America's Armed Forces to strike military and security targets in Iraq. They are joined by British forces. Their mission is to attack Iraq's nuclear, chemical, and biological programs and its military capacity to threaten its neighbors. Their purpose is to protect the national interest of the United States and, indeed, the interest of people throughout the Middle East and around the world. Saddam Hussein must not be allowed to threaten his neighbors or the world with nuclear arms, poison gas, or biological weapons.

I want to explain why I have decided, with the unanimous recommendation of my national security team, to use force in Iraq; why we have acted now; and what we aim to accomplish.

Six weeks ago Saddam Hussein announced that he would no longer cooperate with the United Nations weapons inspectors, called UNSCOM. They are highly professional experts from dozens of countries. Their job is to oversee the elimination of Iraq's capability to retain, create, and use weapons of mass destruction and to verify that Iraq does not attempt to rebuild that capability. The inspectors undertook this mission, first, 7½ years ago at the end of the Gulf war, when Iraq agreed to declare and destroy its arsenal as a condition of the cease-fire.

The international community had good reason to set this requirement. Other countries possess weapons of mass destruction and ballistic missiles. With Saddam, there's one big difference: He has used them, not once but repeatedly,

unleashing chemical weapons against Iranian troops during a decade-long war, not only against soldiers but against civilians; firing Scud missiles at the citizens of Israel, Saudi Arabia, Bahrain, and Iran, not only against a foreign enemy but even against his own people, gassing Kurdish civilians in northern Iraq.

The international community had little doubt then, and I have no doubt today, that left unchecked, Saddam Hussein will use these terrible weapons again.

The United States has patiently worked to preserve UNSCOM, as Iraq has sought to avoid its obligation to cooperate with the inspectors. On occasion, we've had to threaten military force, and Saddam has backed down. Faced with Saddam's latest act of defiance in late October, we built intensive diplomatic pressure on Iraq, backed by overwhelming military force in the region. The U.N. Security Council voted 15 to zero to condemn Saddam's actions and to demand that he immediately come into compliance. Eight Arab nations—Egypt, Syria, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, and Oman—warned that Iraq alone would bear responsibility for the consequences of defying the U.N.

When Saddam still failed to comply, we prepared to act militarily. It was only then, at the last possible moment, that Iraq backed down. It pledged to the U.N. that it had made, and I quote, "a clear and unconditional decision to resume cooperation with the weapons inspectors." I decided then to call off the attack, with

our airplanes already in the air, because Saddam had given in to our demands. I concluded then that the right thing to do was to use restraint and give Saddam one last chance to prove his willingness to cooperate.

I made it very clear at that time what “unconditional cooperation” meant, based on existing U.N. resolutions and Iraq’s own commitments. And along with Prime Minister Blair of Great Britain, I made it equally clear that if Saddam failed to cooperate fully, we would be prepared to act without delay, diplomacy, or warning.

Now, over the past 3 weeks, the U.N. weapons inspectors have carried out their plan for testing Iraq’s cooperation. The testing period ended this weekend, and last night, UNSCOM’s Chairman, Richard Butler, reported the results to U.N. Secretary-General Annan. The conclusions are stark, sobering, and profoundly disturbing.

In four out of the five categories set forth, Iraq has failed to cooperate. Indeed, it actually has placed new restrictions on the inspectors. Here are some of the particulars:

Iraq repeatedly blocked UNSCOM from inspecting suspect sites. For example, it shut off access to the headquarters of its ruling party and said it will deny access to the party’s other offices, even though U.N. resolutions make no exception for them and UNSCOM has inspected them in the past.

Iraq repeatedly restricted UNSCOM’s ability to obtain necessary evidence. For example, Iraq obstructed UNSCOM’s effort to photograph bombs related to its chemical weapons program. It tried to stop an UNSCOM biological weapons team from videotaping a site and photocopying documents and prevented Iraqi personnel from answering UNSCOM’s questions. Prior to the inspection of another site, Iraq actually emptied out the building, removing not just documents but even the furniture and the equipment. Iraq has failed to turn over virtually all the documents requested by the inspectors; indeed, we know that Iraq ordered the destruction of weapons-related documents in anticipation of an UNSCOM inspection.

So Iraq has abused its final chance. As the UNSCOM report concludes, and again I quote, “Iraq’s conduct ensured that no progress was able to be made in the fields of disarmament. In light of this experience and in the absence of full cooperation by Iraq, it must, regrettably, be recorded again that the Commission is not

able to conduct the work mandated to it by the Security Council with respect to Iraq’s prohibited weapons program.”

In short, the inspectors are saying that, even if they could stay in Iraq, their work would be a sham. Saddam’s deception has defeated their effectiveness. Instead of the inspectors disarming Saddam, Saddam has disarmed the inspectors.

This situation presents a clear and present danger to the stability of the Persian Gulf and the safety of people everywhere. The international community gave Saddam one last chance to resume cooperation with the weapons inspectors. Saddam has failed to seize the chance.

And so we had to act, and act now. Let me explain why.

First, without a strong inspections system, Iraq would be free to retain and begin to rebuild its chemical, biological, and nuclear weapons programs in months, not years.

Second, if Saddam can cripple the weapons inspections system and get away with it, he would conclude that the international community, led by the United States, has simply lost its will. He will surmise that he has free rein to rebuild his arsenal of destruction. And some day, make no mistake, he will use it again, as he has in the past.

Third, in halting our airstrikes in November, I gave Saddam a chance, not a license. If we turn our backs on his defiance, the credibility of U.S. power as a check against Saddam will be destroyed. We will not only have allowed Saddam to shatter the inspections system that controls his weapons of mass destruction program; we also will have fatally undercut the fear of force that stops Saddam from acting to gain domination in the region.

That is why, on the unanimous recommendation of my national security team, including the Vice President, Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretary of State, and the National Security Adviser, I have ordered a strong, sustained series of airstrikes against Iraq. They are designed to degrade Saddam’s capacity to develop and deliver weapons of mass destruction, and to degrade his ability to threaten his neighbors. At the same time, we are delivering a powerful message to Saddam: If you act recklessly, you will pay a heavy price.

We acted today because, in the judgment of my military advisers, a swift response would provide the most surprise and the least opportunity for Saddam to prepare. If we had delayed for even a matter of days from Chairman Butler's report, we would have given Saddam more time to disperse his forces and protect his weapons.

Also, the Muslim holy month of Ramadan begins this weekend. For us to initiate military action during Ramadan would be profoundly offensive to the Muslim world and, therefore, would damage our relations with Arab countries and the progress we have made in the Middle East. That is something we wanted very much to avoid without giving Iraq a month's headstart to prepare for potential action against it.

Finally, our allies, including Prime Minister Tony Blair of Great Britain, concurred that now is the time to strike.

I hope Saddam will come into cooperation with the inspection system now and comply with the relevant U.N. Security Council resolutions. But we have to be prepared that he will not, and we must deal with the very real danger he poses. So we will pursue a long-term strategy to contain Iraq and its weapons of mass destruction and work toward the day when Iraq has a Government worthy of its people.

First, we must be prepared to use force again if Saddam takes threatening actions, such as trying to reconstitute his weapons of mass destruction or their delivery systems, threatening his neighbors, challenging allied aircraft over Iraq, or moving against his own Kurdish citizens. The credible threat to use force, and when necessary, the actual use of force, is the surest way to contain Saddam's weapons of mass destruction program, curtail his aggression, and prevent another Gulf war.

Second, so long as Iraq remains out of compliance, we will work with the international community to maintain and enforce economic sanctions. Sanctions have cost Saddam more than \$120 billion, resources that would have been used to rebuild his military. The sanctions system allows Iraq to sell oil for food, for medicine, for other humanitarian supplies for the Iraqi people. We have no quarrel with them. But without the sanctions, we would see the oil-for-food program become oil-for-tanks, resulting in a greater threat to Iraq's neighbors and less food for its people.

The hard fact is that so long as Saddam remains in power, he threatens the well-being of

his people, the peace of his region, the security of the world. The best way to end that threat once and for all is with a new Iraqi Government, a Government ready to live in peace with its neighbors, a Government that respects the rights of its people.

Bringing change in Baghdad will take time and effort. We will strengthen our engagement with the full range of Iraqi opposition forces and work with them effectively and prudently.

The decision to use force is never cost-free. Whenever American forces are placed in harm's way, we risk the loss of life. And while our strikes are focused on Iraq's military capabilities, there will be unintended Iraqi casualties. Indeed, in the past, Saddam has intentionally placed Iraqi civilians in harm's way in a cynical bid to sway international opinion. We must be prepared for these realities. At the same time, Saddam should have absolutely no doubt: If he lashes out at his neighbors, we will respond forcefully.

Heavy as they are, the costs of action must be weighed against the price of inaction. If Saddam defies the world and we fail to respond, we will face a far greater threat in the future. Saddam will strike again at his neighbors. He will make war on his own people. And mark my words, he will develop weapons of mass destruction. He will deploy them, and he will use them. Because we are acting today, it is less likely that we will face these dangers in the future.

Let me close by addressing one other issue. Saddam Hussein and the other enemies of peace may have thought that the serious debate currently before the House of Representatives would distract Americans or weaken our resolve to face him down. But once more, the United States has proven that, although we are never eager to use force, when we must act in America's vital interests, we will do so.

In the century we're leaving, America has often made the difference between chaos and community, fear and hope. Now, in a new century, we'll have a remarkable opportunity to shape a future more peaceful than the past but only if we stand strong against the enemies of peace. Tonight, the United States is doing just that.

May God bless and protect the brave men and women who are carrying out this vital mission, and their families. And may God bless America.

NOTE: The President spoke at 6 p.m. from the Oval Office at the White House. In his remarks, he referred to President Saddam Hussein of Iraq and United Nations Secretary-General Kofi Annan.

Remarks on the Military Strikes on Iraq and an Exchange With Reporters December 17, 1998

The President. My national security team is about to update me and the Vice President on the status of our operation in Iraq. I'd like to begin by speaking for every American in expressing my gratitude to our men and women in uniform and also to our British allies, who are participating in this operation with us.

I am convinced the decision I made to order this military action, though difficult, was absolutely the right thing to do. It is in our interest and in the interest of people all around the world. Saddam Hussein has used weapons of mass destruction and ballistic missiles before; I have no doubt he would use them again if permitted to develop them.

When I halted military action against Saddam last November, after he had terminated the UNSCOM operations, I made it very clear that we were giving him a last chance to cooperate. Once again he promised in very explicit terms that he would fully cooperate. On Tuesday the inspectors concluded that they were no longer able to do their jobs and that, in fact, he had raised even new barriers to their doing their jobs.

Then yesterday morning I gave the order because I believe that we cannot allow Saddam Hussein to dismantle UNSCOM and resume the production of weapons of mass destruction with impunity. I also believe that to have done so would have, in effect, given him a green light for whatever he might want to do in his neighborhood. I think it would be a terrible, terrible mistake.

We acted yesterday because Secretary Cohen and General Shelton strongly urged that we act at the point where we could have maximum impact with minimum risk to our own people because of the surprise factor. We also wanted to avoid initiating any military action during the Muslim holy month of Ramadan, which is slated to begin in just a couple of days.

Our mission is clear: to degrade his capacity to develop and to use weapons of mass destruction or to threaten his neighbors. I believe we will achieve that mission, and I'm looking forward to getting this briefing.

Impeachment/Military Strikes on Iraq

Q. Mr. President, how are you going to stem the Republican drive to drive you out of office?

The President. Well, the Constitution has a procedure for that, and we will follow it.

Q. Mr. President, as you know, Senator Trent Lott and Dick Armey, the House majority leader, and other Republicans are questioning the timing, suggesting that this was simply a diversionary tactic to avoid an impeachment vote on the House floor. What do you say to those critics?

The President. That it's not true, that what I did was the right thing for the country. I don't think any serious person would believe that any President would do such a thing. And I don't believe any reasonably astute person in Washington would believe that Secretary Cohen and General Shelton and the whole rest of the National Security team would participate in such an action. This was the right thing for the country.

We have given Saddam Hussein chance after chance to cooperate with UNSCOM. We said in November that this was the last chance. We got the report from Mr. Butler saying that he was not cooperating and, in fact, raised new barriers to cooperation. And we acted just as we promised we would. We acted swiftly because we were ready, thanks to the very fine work of the Defense Department in leaving our assets properly deployed. We had the strong support of the British.

And I might add, I'm very gratified by the strong support we've gotten from people among both Democratic and Republican ranks in the Congress who are interested in national security, people like Senator Helms, Senator McCain,